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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,099	05/16/2005	Naohiro Matsunaga	1019519-000469	3621

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EXAMINER

HON, SOW FUN

ART UNIT	PAPER NUMBER
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1794

NOTIFICATION DATE	DELIVERY MODE
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03/24/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Advisory Action

Response to Request for Reconsideration

1. The request for reconsideration has been fully considered and fails to place the application in condition for allowance for the reasons set forth below.
2. Applicant argues that the excerpt of “transparent fine particles (41) and (42) may be mono-dispersed organic or inorganic particles. The sizes of the particles are preferably uniform. If so, the scattering characters of the particles are almost the same, and accordingly the haze is easily controlled” contains no explicit teaching that the MX300 particles employed in Example 5 of WO ‘104 are monodisperse.

Applicant is respectfully apprised that if Ito only teaches that the MX300 beads that are used in the example have a particle size of 3.0 μm (page 56, lines 17-20) and does not use both of the terms “monodisperse” and “uniform” to describe the particle size (page 13, lines 4-9), then there may have been some reasonable doubt that the MX300 beads used by Ito is not monodisperse. However, the use of both of the terms “monodisperse” and “uniform” to describe the particle size of the beads (page 13, lines 4-9) and the absence of the use of the term “average” to describe the expressly recited particle size of 3.0 μm of the MX300 beads (page 56, lines 17-20) are clear indications that the MX300 beads of Ito are indeed monodisperse to allow for the haze of the optical film to be easily controlled due to the uniformity of the scattering characteristics of the particles (page 13, lines 4-8).

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3. Applicant argues that Applicant shows comparative examples using the MX300 beads where they were subjected to different classifications which resulted in different cut point values of the coarse particles.

Applicant is respectfully reminded that, as discussed above, the use of both of the terms "monodisperse" and "uniform" to describe the particle size of the beads (page 13, lines 4-9) and the absence of the use of the term "average" to describe the expressly recited particle size of 3.0 μm of the MX300 beads (page 56, lines 17-20) are clear indications that the MX300 beads of Ito are indeed monodisperse to allow for the haze of the optical film to be easily controlled due to the uniformity of the scattering characteristics of the particles.

4. Applicant argues that the cut point value of coarse particles of Comparative Sample 1 which employed MX300 beads without additional classification was greater than 4D (Table 1, page 81) which is clearly outside the range recited in claim 1.

Applicant is respectfully apprised that if Ito had only taught that the MX300 beads that are used in the example have a particle size of 3.0 μm (page 56, lines 17-20) and had not used both of the terms "monodisperse" and "uniform" to describe the particle size (page 13, lines 4-9), and furthermore, had not used the term "particle size" instead of "average particle size" (page 56, lines 17-20) then there may have been some reasonable doubt that the MX300 beads used by Ito is not monodisperse. However, that is not the case. As such, the prior art rejections over Ito as the primary reference, stand.

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5. Applicant's arguments regarding the secondary references of Tanaka and Nelson are directed against Ito, and are addressed above.

Any inquiry concerning this communication should be directed to Sow-Fun Hon whose telephone number is (571)272-1492. The examiner can normally be reached Monday to Friday from 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Keith Hendricks, can be reached on (571)272-1401. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Sophie Hon/
Examiner, Art Unit 1794

/KEITH D. HENDRICKS/
Supervisory Patent Examiner, Art Unit 1794